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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
SOUTHERN DIVISION**

**IN RE:**

**CASE: 17-29673**

RUSSELL CARTER FELLER  
JANELL KAYE FELLER

**CHAPTER 13**

**Debtors**

**Hon. WILLIAM T. THURMAN**

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**TRUSTEE'S CONTINUING OBJECTION TO CONFIRMATION**

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The Standing Chapter 13 Trustee, hereby objects to confirmation based on the following unresolved issues:

1. The Trustee has filed a Motion to Dismiss Under 11 U.S.C. § 1307(c) Because Unsecured Debt Exceeds the Chapter 13 Limit.
2. The Chapter 13 plan does not comply with §§ 1322(b) and 1325(a)(5) in that it does not provide for the following secured claim(s): the Internal Revenue Service.
3. The plan is not feasible in that it is presently projected to require more than 60 months to make all payments required by the plan.

**Restatement of Issues from Prior Objection(s):**

1. The Debtors failed to file a Declaration of Filed Tax Returns as required by Local Rule 6070-1(c)(3).
2. The Debtors failed to provide the Trustee with a business questionnaire for a business operated during the sixty (60) days prior to the petition date (see Local Rule 2083-1(d)(1)(D)).
3. The Debtors list on Schedule J an expense for auto payment of \$335 (appears to be duplicated). The Debtors should either substantiate this expense with admissible, documentary evidence, or remove it from Schedule J.
4. The Trustee requests the Debtors provide complete 2016 personal and business tax returns.
5. The Trustee requests full financial accounts for business for October 1, 2017 – December 31, 2017. If the Trustee cannot determine income, the Trustee may request reconciliation.
6. It appears that the Debtors' Current Monthly Income (as that term is defined by § 101(10A)) is greater than what is disclosed on Form 122C-1. The profit and loss statements provided do not match the income on Line No. 5.
7. The Debtors failed to answer the business questions of Interrogatory Nos. 27 & 28 on the Statement of Financial Affairs, as required by FED. R. BANKR. P. 1007(b)(1).
8. The Debtors have not disclosed on Schedule I monthly income received from wages for Russell Feller.

THEREFORE, the Trustee has an ongoing objection to the confirmation.

Dated: January 30, 2018

LAJ /S/  
LON A. JENKINS  
CHAPTER 13 TRUSTEE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Continuing Objection to Confirmation was served upon all persons entitled to receive notice in this case via ECF Notification or by U.S. Mail to the following parties on January 30, 2018:

LEONARD J. CARSON, ECF Notification

/s/ Emily Hansen